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REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of

ATTN: Office of Petitions

Tsutomu SHIGA et al.

Application No.: 10/743,103

Filed: December 23, 2003

Docket No.: 117386.99

For: STARTER

PETITION REQUESTING WITHDRAWAL OF NOTICE
OF INCOMPLETE REISSUE APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Notice of Incomplete Reissue Application (copy enclosed) was mailed on April 19, 2004, for the above-identified application. In particular, the Notice asserts that the above-identified reissue application was filed without a specification, claims or drawings. The Notice further asserts that the reissue application was filed without a statement by the assignee establishing ownership. It is respectfully submitted that this Notice was issued in error.

This application was filed on December 23, 2003 with 11 pages of specification (including 16 claims), 21 sheets of drawings (Figs. 1-26), an originally executed Reissue Declaration and a Consent of Assignee to Reissue and Offer to Surrender Letters Patent. Copies of all papers, as filed on December 23, 2003, are attached. In addition, attached is the U.S. Patent and Trademark Office Acknowledgement of Receipt of the application bearing the December 23, 2003 receipt date stamp, wherein the Patent Office acknowledged receipt of all filed papers.

05/04/2004 YPOLITE1 00000114 10743103

01 FC:1205-
02 FC:1460

130.00 DA

~~10.00-00~~

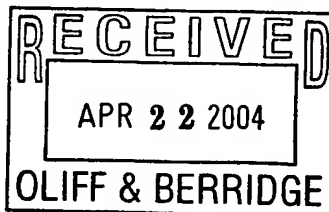


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
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 www.uspto.gov

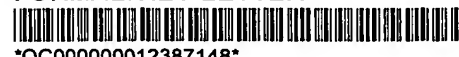
APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/743,103	12/23/2003	Tsutomu Shiga	117386.99

25944
 OLIFF & BERRIDGE, PLC
 P.O. BOX 19928
 ALEXANDRIA, VA 22320



CONFIRMATION NO. 8155

FORMALITIES LETTER



OC00000012387148

Date Mailed: 04/19/2004

NOTICE OF INCOMPLETE REISSUE APPLICATION**FILED UNDER 37 CFR 1.53(b)**

A filing date has NOT been accorded to the above identified application papers for the reason(s) indicated below.

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.
- The specification does not include at least one claim.
A complete specification as prescribed by 35 U.S.C. 112 is required.
- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

The required items noted below **SHOULD** be filed along with any items required above. The filing date of this reissue application will be the date of receipt of the items required above.

- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

05/03/2004 YPOLITE1 00000053 10743103

01 FC:1202

18.00 DP

05/04/2004 YPOLITE1 00000114 150461 10743103

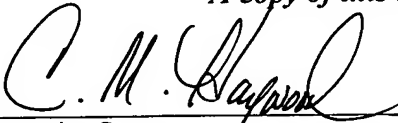
01 FC:1205

02 FC:1460

120.00 DA

18.00 DP

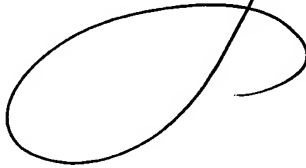
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



The appropriate official of the U.S. Patent and Trademark Office is invited to contact the undersigned if there are any questions relating to this matter

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jacob A. Doughty
Registration No. 46,671

JAO:JAD/tje

Attachments:

- Copy of Notice of Incomplete Reissue Application
- Copy Oliff & Berridge Logbook Page 146
- Copy of Return Serial No. Postcard
- Copy of PTO Receipt for Filing Papers
- Copy of Application Transmittal
- Copy of Reissue Application (11 page specification, 21 sheets of drawings, Figs. 1-26)
- Copy of Attorney Docket Number for Reissue Application of U.S. Patent No. 5,760,485
- Copy of Consent of Assignee to Reissue (37 C.F.R. §1.172(a))
- Copy of Reissue Declaration
- Copy of Recordation of Assignment Transmittal
- Copy of Information Disclosure Statement

Date: April 29, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--

P.S. At a minimum, the U.S. Patent and Trademark Office is requested to accord today's date to this application in view of the resubmission of the Reissue Application. However, for the reasons detailed above, it is respectfully submitted that this application is entitled to the December 23, 2003 filing date.

In addition, attached is a copy of the Oliff & Berridge, PLC logbook showing that this application was delivered to the U.S. Patent and Trademark Office on December 23, 2003 with 11 pages of specification, 21 sheets of drawings, the originally executed Declaration and Consent of Assignee.

In view of the foregoing evidence, it is respectfully submitted that this application was in fact received in the U.S. Patent and Trademark Office on December 23, 2003.

In view of the foregoing, this Petition requests the U.S. Patent and Trademark Office to accord this application the December 23, 2003 filing date, since the 11 pages of specification, 21 sheets of drawings and originally executed Declaration were received by the U.S. Patent and Trademark Office in view of the Patent Office acknowledgement of receipt. In addition, the U.S. Patent and Trademark Office is respectfully requested to rescind the Notice of Incomplete Reissue Application.

The U.S. Patent and Trademark Office is authorized to debit Deposit Account 15-0461 for the \$130.00 Petition Fee under 37 CFR §1.17(i). However it is respectfully submitted that the Petition Fee should be waived in this application in view of the evidence showing that the application was filed on December 23, 2003.



RECEIPT FOR FILING OF PAPER

► **Mail Room (Regular Delivery)**

The following papers have been filed:

Reissue App Trans w/check #149538 \$1,060, AppData, Reissue App, Attorney Docket No. for Reissue Appln w/Consent of Assignee to Reissue & Offer to Surrender Letters Patent-Reissue Dec., Assign Trans w/check #149563 \$40 w/exec Assign., IDS w/PTO-1449 & 9 refs

Name of Applicant: Tsutomu SHIGA, Nobuyuki HAYASHI, Masanori OHMI and Sadayoshi KAJINO

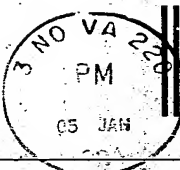
Serial No.: New U.S. Reissue Application

Atty. File No.: 117386.99

Title (New Cases): STARTER

Sender's Initials: JAO:JAD/lbg

ASSIGNEE: Denso Corporation



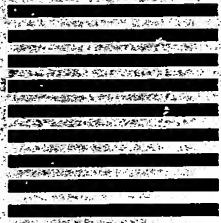
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ALEXANDRIA VA 22320-9801

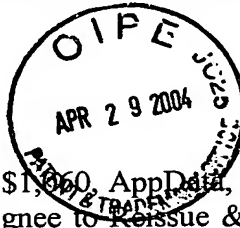


PTO RECEIPT FOR FILING OF PAPERS

► Mail Room (Regular Delivery)

The following papers have been filed:

Reissue App Trans w/check #149538 \$1,060, App Data, Reissue App, Attorney Docket No. for Reissue Appln w/Consent of Assignee to Reissue & Offer to Surrender Letters Patent, Reissue Dec., Assign Trans w/check #149563 \$40 w/exec. Assign., IDS w/PTO-1449 & 9 refs



Name of Applicant: Tsutomu SHIGA, Nobuyuki HAYASHI, Masanori OHMI and Sadayoshi KAJINO

Serial No.: New U.S. Reissue Application

Atty. File No.: 117386.99

Title (New Cases): STARTER

NEW APPLICATION

Sender's Initials: JAO:JAD/lbg

146/40

PATENT OFFICE DATE STAMP



**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**

**REISSUE PATENT**

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400
Facsimile: (703) 836-2787

Attorney Docket No.: 117386.99Date: December 23, 2003**MAIL STOP REISSUE**

Customer Number: 25944

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REISSUE APPLICATION TRANSMITTAL
LETTER AND FILING FEE****DUPLICATE**

Sir:

Transmitted herewith is a Reissue Application of U.S. Patent No. 5,760,485, issued June 2, 1998, Serial No. 08/600,991.For (Title): **STARTER**By (Inventors): **Tsutomu SHIGA, Nobuyuki HAYASHI, Masanori OHMI and Sadayoshi KAJINO**

- ☒ A Reissue Declaration (executed by the inventor(s)) is filed herewith.
☒ A Consent of Assignee to Reissue is filed herewith.
☒ An Information Disclosure Statement is filed herewith.
☐ A Claim for Priority is filed herewith.
☐ A Preliminary Amendment is filed herewith. Claims added by this Amendment are properly numbered consecutively beginning with the number next following the highest numbered claim in the application.
☐ Entitlement to small entity status is hereby asserted.
☒ The filing fee has been calculated as shown below:

**CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED ABOVE**

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	20 - 20	= 0
INDEP CLAIMS	1 - 3	= 0
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

SMALL ENTITY		
RATE	FEE	OR
	\$ 385	OR
x 9 =	\$	OR
x 43 =	\$	OR
+145 =	\$	OR
TOTAL	\$	OR

OTHER THAN A SMALL ENTITY		
RATE	FEE	
	\$ 770	
X 18	\$	
X 86	\$	
+ 290	\$ 290	
TOTAL	\$ 1,060	

- * Number of claims in original patent or 20, whichever is greater
** Number of independent claims in original patent
*** If the difference is less than zero, enter "0".

- ☒ Check No. 149538 in the amount of \$1,060 to cover the filing fee is attached. Except as otherwise noted herein, the Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 15-0461. Two duplicate copies of this sheet are attached.

Respectfully submitted,

James A. Oliff
James A. Oliff
Registration No. 27,075

Jacob A. Doughty
Registration No. 46,671

JAO:JAD/lbg



Application Data Sheet

Application Information

Application Type::	Reissue
Subject Matter::	Utility
CD-ROM or CD-R:	None
Title::	STARTER
Attorney Docket Number::	117386.99
Suggested Drawing Figure::	
Total Drawing Sheets::	21
Small Entity::	No

Applicant Information

Applicant Authority type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Tsutomu
Middle Name::	
Family Name::	SHIGA
Name Suffix::	
City of Residence::	Nukata-gun
State or Province of Residence::	Japan
Country of Residence::	Japan

Applicant Authority type::	Inventor
Primary Citizenship Country::	Japan
Status::	Full Capacity
Given Name::	Nobuyuki
Middle Name::	
Family Name::	HAYASHI
Name Suffix::	

City of Residence:: Nagoya-city

State or Province of Residence:: Japan

Country of Residence:: Japan

Applicant Authority type:: Inventor

Primary Citizenship Country:: Japan

Status:: Full Capacity

Given Name:: Masanori

Middle Name::

Family Name:: OHMI

Name Suffix::

City of Residence:: Anjo-city

State or Province of Residence:: Japan

Country of Residence:: Japan

Applicant Authority type:: Inventor

Primary Citizenship Country:: Japan

Status:: Full Capacity

Given Name:: Sadayoshi

Middle Name::

Family Name:: KAJINO

Name Suffix::

City of Residence:: Nagoya-city

State or Province of Residence:: Japan

Country of Residence:: Japan

Correspondence Information

Correspondence Customer Number:: 25944

Domestic Priority Information			
Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application is a	Reissue of	5,760,485	6/2/1998
This Application is a	National Stage of	PCT/JP94/02166	12/19/1994

Foreign Priority Information			
Country::	Application Number::	Filing Date::	Priority Claimed::
Japan	PCT/JP94/02166	12/19/1994	Yes
Country::	Application Number::	Filing Date::	Priority Claimed::
		MM / DD / YY	Yes
Country::	Application Number::	Filing Date::	Priority Claimed::
		MM / DD / YY	Yes
Assignee Information			
Assignee Name::		Denso Corporation	
Street of mailing address::		1-1 Showa-cho	
City of mailing address::		Kariya-city,	
State or Province of mailing address::		Aichi-Pref.	
Country of mailing address::		Japan	
Postal or Zip Code of mailing address::			